



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 21 2014

Elizabeth C. Jenks
P.O Box 535
Keswick, VA 22947

RE: MUR 6693

Dear Ms. Jenks:

On November 16, 2012, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On November 18, 2014, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe you violated 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)) with respect to the allegations in this matter. Accordingly, the Commission closed its file in this matter on November 18, 2014.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact Ruth Heilizer, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the typed name.

BY: Jeff S. Jordan
Assistant General Counsel
Complaints Examination and
Legal Administration

Enclosure
Factual and Legal Analysis

1 **FEDERAL ELECTION COMMISSION**

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3 **FACTUAL AND LEGAL ANALYSIS**

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5 RESPONDENT: Elizabeth C. Jenks, aka "Chardon Jenks"

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7 **I. INTRODUCTION**

8 This matter was generated by a Complaint asserting violations of the Federal Election
9 Campaign Act of 1971, as amended (the "Act")¹ by Respondent Elizabeth C. Jenks, aka
10 "Chardon Jenks," in connection with allegedly excessive contributions to Jackson for Virginia
11 and Theodora J. Jackson in her official capacity as treasurer (collectively, the "Committee").²
12 After reviewing the record, the Commission found no reason to believe that Elizabeth C. Jenks,
13 aka "Chardon Jenks," made excessive contributions to the Committee, in violation of 52 U.S.C.
14 § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

15 **II. FACTUAL AND LEGAL ANALYSIS**

16 **A. Factual Background**

17
18 Smith notes that the Committee disclosed the following contributions: \$1,000 from
19 "Mrs. Elizabeth C. Jenks" on March 12, 2012;³ \$1,000 from "Mrs. Chardon Jenks" on April 18,
20 2012;⁴ \$500 from "Mrs. Chardon Jenks" on April 24, 2012;⁵ and \$2,500 from "Mrs. Elizabeth

¹ On September 1, 2014, the Act was transferred from Title 2 of the United States Code to new Title 52 of the United States Code.

² Jackson for Virginia is the principal campaign committee of Earl W. Jackson, Sr., unsuccessful 2012 primary election candidate for U.S. Senate for Virginia. All of the contributions in this matter are attributed to the primary election.

³ See Committee's 2012 April Quarterly Report, filed on April 14, 2012 ("Committee's April Quarterly Report") at 6.

⁴ See Committee's 2012 12-Day Pre-Primary Report, filed on May 31, 2012 ("Committee's Pre-Primary Report") at 8.

⁵ See Committee's Pre-Primary Report at 8.

1 C. Jenks" on June 11, 2012.⁶ Compl. at 1. The addresses for the contributions are nearly
2 identical post office boxes in Keswick, Virginia. *Id.*⁷ The Complaint alleges that "Elizabeth C.
3 Jenks" and "Chardon Jenks" are in fact the same individual, and that she contributed \$5,000 to
4 the Committee.⁸ *Id.* Therefore, according to the Complaint, Elizabeth C. Jenks, aka "Chardon
5 Jenks," and the Committee violated the Act by making and accepting excessive contributions,
6 respectively. *Id.*

7 The Complaint also alleges that "Elizabeth Harrigan," whom the Complaint identifies as
8 Jenks's sister-in-law, contributed \$1,000 to the Committee on June 11, 2012, and that "Terrell
9 Harrigan,"⁹ identified as Jenks's niece, contributed \$2,500 on June 11, 2012.¹⁰ Compl. at 1. The
10 Complaint claims that these contributions "may all be from one and the same person" or,
11 alternatively, may have been "laundered through relatives." *Id.* According to the Complaint, an
12 obituary for Mrs. Jenks's late husband, Dr. John S. Jenks, a copy of which is appended to the
13 Complaint,¹¹ supports these assertions. *Id.*; see also Compl, Attach. The Complaint surmises
14 that the Committee may have been aware of "the attempt to conceal the apparently excessive
15 contributions." *Id.*¹²

⁶ See Committee's 2012 July Quarterly Report, filed on July 14, 2012 ("Committee's July Quarterly Report") at 6.

⁷ See Committee's April Quarterly Report at 6; Committee's Pre-Primary Report at 8; and Committee's July Quarterly Report at 6.

⁸ The contribution limit in 2011-2012 was \$2,500 per election to a candidate's committee. See FEC Brochure for March 2011 at 6; available at <http://www.fec.gov/pdf/record/2011/march11.pdf#page=7>.

⁹ The Complaint uses the surname "Harrington," instead of "Harrigan."

¹⁰ See Committee's July Quarterly Report at 5-6.

¹¹ No source for the obituary is provided.

¹² The Complaint offers no credible support for these allegations. Therefore, the Commission did not address them further.

1 In its Response, the Committee explains that "Mrs. Elizabeth Chardon H. Jenks" and
2 "Elizabeth Jenks" are mother and daughter, respectively, and that their similar names may have
3 created the appearance of an excessive contribution from one individual. Committee Resp. at 1-
4 2. Attached to the Committee's Response is a sworn and notarized letter from Elizabeth
5 Chardon H. Jenks (signed "Chardon Jenks") stating she made a total of \$2,500 in contributions
6 to the Jackson campaign in 2012 as follows: \$1,000 on May 10, 2012;¹³ \$1,000 on April 18,
7 2012; and \$500 on April 24, 2012. Jenks Resp. Mrs. Jenks further states that her daughter,
8 Elizabeth Jenks, made an online contribution of \$2,500 to the Jackson campaign on May 27,
9 2012,¹⁴ with her separate credit card, and that she and her daughter each pay their own credit
10 card bills. *Id.*

11 **B. Legal Analysis**

12 A "contribution" is defined as any "gift, subscription, loan . . . or anything of value made
13 by any person for the purpose of influencing any election for Federal office." 52 U.S.C.
14 § 30101(8)(A)(i) (formerly 2 U.S.C. § 431(8)(A)(i)); *see also* 11 C.F.R. § 100.52(a). An
15 individual is prohibited from making contributions to a candidate in excess of the limits at
16 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)).

17 It appears the Respondent Elizabeth C. Jenks, aka "Chardon Jenks," did not make
18 excessive contributions to the Committee. According to the sworn and notarized letter from
19 Elizabeth Chardon H. Jenks (signed "Chardon Jenks") included with the Committee's response,
20 Chardon Jenks contributed a total of \$2,500 to the Jackson Committee in the 2012 cycle.
21 Therefore, the Commission found no reason to believe that Elizabeth C. Jenks, aka "Chardon

¹³ It appears that Mrs. Jenks may be referring to the contribution disclosed by the Committee as having been received on March 12, 2012.

¹⁴ The Committee disclosed the receipt date of this contribution as "June 11, 2012."

- 2 the allegations in this matter.**

THE UNIVERSITY OF CHICAGO